

United States Court of Federal Claims


GENERAL ORDER NO. 35

Pursuant to the notice of June 18, 1993, proposing the adoption of a student practice rule, and upon consideration of the public comment received during the 60-day period provided therefor in the notice, it is this date ordered that proposed Rule 81.1 'Legal Assistance by Law Students' be adopted without change as part of the rules of procedure of the United States Court of Federal Claims.

In the interests of economy, an individual mailing of the new rule will not be made. **At a future date, an updated version of the Court's rules will be provided to all members. In the meantime,** however, those desiring a copy of the new rule are invited to contact the Clerk's office, either in writing (United States Court of Federal Claims, 717 Madison Place, N.W., Washington, D.C. 20005) or by telephone (202/219-9657).

The text of the new rule accompanies this Order.

BY THE COURT



LOREN A. SMITH
CHIEF JUDGE

DATE: September 3, 1993

(3) Have knowledge of the Rules of the United States Court of Federal Claims, the Federal Rules of Evidence, and the American Bar Association Model Rules of Professional Conduct;

(4) Be enrolled for credit in a clinical program at an accredited law school that maintains malpractice insurance for its activities and conducts its activities under the direction of a faculty member of such law school;

(5) Be certified by the dean of the law school as being of good character and sufficient legal ability, and as being adequately trained, in accordance with paragraphs (1)-(4) above, to fulfill the responsibilities of a legal intern to both the client and the court. Such certification must be filed with the clerk and may be withdrawn at any time by the dean upon written notice to the clerk;

(6) Be certified by the chief judge to practice pursuant to this rule. This certification may be withdrawn at any time by the chief judge or, in a given case, by the judge or special master before whom the law student has entered an appearance, without notice of hearing and without any showing of cause; and

(7) Neither ask for nor receive any fee or compensation of any kind from the client on whose behalf service is rendered. However, this rule shall not prevent a lawyer, legal aid bureau, law school, or the Government from paying compensation to the eligible law student, nor shall it prevent any of them from making such charges for its services as may otherwise be proper, nor shall it prevent any clinical program from receiving otherwise proper fees and expenses under rule 81(e).

(d) Supervising Attorneys

A supervising attorney referred to in this rule shall be deemed the attorney of record pursuant to rule 81(d) and must:

(1) Be a member in good standing of the bar of this court;

(2) Be an attorney whose service as a supervising attorney for the clinical program is approved by the dean of the law school in which the law student is enrolled;

(3) Be certified by this court as a student supervisor;

(4) Assist and counsel the student in activities allowed under this rule and review such activities with the student, all to the extent appropriate under the